

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION)
OF AGERA ENERGY, LLC FOR A)
CERTIFICATE TO PROVIDE ELECTRIC)
SUPPLY SERVICES WITHIN THE STATE) PSC DOCKET NO. 14-0506
OF DELAWARE)
(SUBMITTED OCTOBER 27, 2014;)
FILED FEBRUARY 20, 2015))

ORDER NO. 8724

ELECTRIC SUPPLIER CERTIFICATE

This 5th day of May, 2015, the Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on February 20, 2015, Agera Energy, LLC ("Agera Energy") filed an application (the "Application") pursuant to 26 Del. C. §1001 - §1020, the Electric Utility Restructuring Act (the "Act"), and 26 Del. Admin. C. §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules"),¹ seeking certification as a retail electric supplier in order to provide Electric Supply Service; and

WHEREAS, in the Application, Agera Energy states it is seeking certification as an Electric Supplier² that will utilize appropriate energy procurement strategies to meet the needs of

¹ Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

² Pursuant to §1001(3) of the Act, "Electric Supplier" is defined as an entity or person certified by the Commission, including municipal corporations which choose to provide electricity outside their municipal limits (except to the extent provided prior to February 1, 1999), Broker, Marketer or other entity (including public utilities and their affiliates, e.g., Delmarva), that sells electricity to Retail Electric Customers, utilizing the Transmission and Distribution Facilities of an Electric Distribution Company.

residential, small commercial, large commercial and industrial customers in Delaware; and

WHEREAS, as more specifically detailed in its Memorandum to the Commission, the Commission Staff ("Staff") reports that, as required by §3001-2.2 of the Supplier Rules, Agera Energy provided the appropriate affidavits of publication of notice of the Application in the Delaware State News on December 27, 2014, and in The News Journal on January 5, 2015, and confirms there were no interventions, protests, or comments filed in this docket within the required 20-day notice period;

WHEREAS, Staff also reports that the Application fulfills all of the requirements set forth in the Act and the Supplier Rules for an Electric Supplier Certificate to act as an Electric Supplier in that Agera Energy has specifically presented substantial evidence supporting its financial, operational, managerial, and technical ability to operate as a Supplier of Electric Supply Service within the State of Delaware. Therefore, Staff recommends that the Commission issue to Agera Energy an Electric Supplier Certificate to offer Electric Supply Service within the State of Delaware;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. Agera Energy is hereby granted a certificate to do business and operate as an "Electric Supplier" within the State of Delaware. Under this Electric Supplier Certificate, Agera Energy is authorized to provide Electric Supply Service within

the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. Agera Energy is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. Agera Energy shall file such reports and pay such fees and assessments as may be required or imposed by §§114, 115 and 1012(c) (2) of the Act and §§3001-3.9 and 3.10 of the Supplier Rules.

4. Agera Energy consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. Agera Energy is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to §114(b) (1) of the Act.

6. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary